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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Britta SUNDERMANN et al.

Examiner: Jon McClland Lockard

Serial No.: 10/030,688

Group Art Unit: 1647

Filed: January 14, 2002

Title: SERIPANCRIN

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated June 10, 2004, Applicants hereby elect with traverse Group 1, Claims 1-9 and 11 drawn to proteins, polynucleotides, vectors, host cells, method of recombinantly producing protein, fusion proteins and a method of screening compounds that stimulate/inhibit the function/level of polypeptide.

All the claims in the application involve related subject matter, e.g., seripancrin (relating to SEQ ID NOS: 1 and 2). A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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